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TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [KMPI](#) [TS](#)  
SUBJECT: BAR ASSOCIATION LEADS LAWYERS IN SIT-IN

REF: A. 05 TUNIS 2395  
[1](#)B. 05 TUNIS 1006  
[1](#)C. 05 TUNIS 2034

Classified By: Ambassador William Hudson for Reasons 1.4 b & d

[1](#)1. (SBU) Summary: The Tunisian Bar Association has led a sit-in, now on its eighth day, in protest of a new law creating a training institute for lawyers which the Bar Association alleges will effectively give control of who enters the Bar to the GOT. There has been a heavy police presence surrounding the lawyers' meeting hall (Lawyer's House) in Tunis, and lawyers have alleged serious physical assault on several Bar members who attempted to bring mattresses into the location. End Summary.

[1](#)2. (SBU) The Tunisian Bar Association has led a sit-in since May 9 at the Lawyers' House in Tunis in protest of a new draft law announced the same day creating a Training Institute for Lawyers. Lawyers allege that by controlling admission to the Institute, the GOT would effectively control who could be admitted to the Bar. Although the Bar Association (BA) had previously supported the creation of a training institute to standardize qualifications for becoming a lawyer, BA President Abdesattar Ben Moussa complained that the BA was not consulted on the new draft law, and that the proposed insitution would not be independent. After a brief protest at the Palace of Justice, which was blocked by a heavy police presence on May 9, the lawyers retreated across the street to the Lawyers' House, where a fluctuating number of lawyers has maintained a sit-in for the past eight days. (Poloff saw approximately 40 people in the Lawyers' House during a visit May 10, and was told between five and ten lawyers have been sleeping at the building at night to maintain the sit-in). The BA is calling for the repeal of this draft law, which having been passed by the Chamber of Deputies now awaits Presidential signature before becoming law.

[1](#)3. (C) On May 10, three lawyers, including Movement of 18 October hunger striker Ayachi Hammami (ref a), were allegedly assaulted by security forces outside of the Lawyer's House while trying to bring mattresses into the building to facilitate the sit-in. Hammami and lawyer Abderrazak Kilani were reportedly beaten unconscious and admitted to a local hospital. Both were subsequently released. Poloff visited the Lawyer's House on May 10 following reports of this assault and saw an extremely heavy police presence, including both uniformed and civilian clothed police officers. The road in front of the Lawyer's House was blocked by police barricades, and reportedly only lawyers were being allowed to enter the sit-in location. (NB: This is a common GOT tactic to restrict freedom of assembly). On May 16, lawyers and human rights activists reported that "(ruling party) RCD loyal lawyers" entered the sit-in location in an alleged

attempt to disrupt the event by "physical and verbal assaults." On May 17, according to lawyer Abderraouf Ayadi, twenty-three lawyers began a one-day hunger strike in protest of an assault by security forces against sit-in participant Leila Bendebba when she attempted to bring food into the location of the sit-in.

14. (SBU) GOT-owned Channel 7 Television hosted a two-hour program on the lawyer crisis on May 16. Presented as a debate, the program featured GOT officials, and pro-GOT lawyers, and journalists from GOT-loyal newspapers defending the proposed training institution as necessary to ensure qualified lawyers, denigrating current Bar Association leadership and calling into question the Association loyalty due to a pending request for foreign funding. (The BA had reportedly suggested outside funding to guarantee financial independence for any new training institution.)

15. (C) Comment: The Bar Association complaints, notably not consulting with the BA before passing a relevant law and attempting to control admission to the Bar, echo concerns by the Association of Tunisian Judges (AMT) that the GOT did not consult with that organization before passing legislation relevant to the judges' profession and has limited the independence of the AMT (ref c). Many legal interlocutors say that the new lawyers training law is yet another step in and effort by the GOT to limit the independence of the judiciary, both from the bench and from the courtroom floor. Many of the same lawyers who are conducting this sit-in were involved in the nearly two month sit-in protesting the arrest and sentencing of Mohamed Abbou in March 2005 and also led opposition to the GOT's invitation to Ariel Sharon to attend the World Summit on the Information Society (ref b). Among the group of lawyers active in the strike are several members of the 18 October Movement and other prominent (in the human rights community) Tunisian activists and opposition party members such as Nejib Chebbi and Radhia Nasraoui. End Comment.

HUDSON